

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

CONSTANTIN ZAPOROJAN,

Defendant.

Case No. 6:25-po-00071-HBK-1

ORDER GRANTING GOVERNMENT'S
MOTION TO CONVERT MANDATORY
APPEARANCE TO COLLATERAL

(Doc. No. 4)

ORDER DISREGARDING STIPULATION¹

(Doc. No. 3)

Pending before the Court is the Government's motion to permit Defendant to forfeit collateral in lieu of appearance filed on February 14, 2025. (Doc. No. 4). On August 22, 2024, Defendant was issued Violation No. E-09910236, charging Defendant with violating 36 C.F.R. § 5.6(b), prohibiting the use of government roads within park areas by commercial vehicles. (Doc. No. 1). The Violation Notice was marked as requiring Defendant's mandatory appearance, although the cited offense may be issued as aailable offense, which affords a defendant to post collateral instead of making an initial appearance. The Government seeks to exercise its discretion and convert the Violation Notice to aailable offense, which Defendant agrees to pay.

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¹ A stipulated motion was jointly filed by the Government and the Federal Public Defender on February 12, 2025. The Court did not appoint counsel for Defendant.

Accordingly, it is ORDERED:

1. The Government's Motion (Doc. No. 4) is GRANTED to the extent set forth herein.
2. The Clerk shall CONVERT Violation No. E-09910236, charging Defendant with violating 36 C.F.R. § 5.6(b), to a bailable citation with a fine of \$250 plus a \$30 processing for a total amount of \$280 and CONTINUE Defendant's Initial Appearance scheduled from Tuesday, February 18, 2025 to Tuesday April 1, 2025.
3. Defendant **shall have thirty (30) days** to pay the collateral fine to the Central Violation Bureau.
4. If Defendant fails to timely make payment, Defendant must personally appear at his continued Initial Appearance on Tuesday, April 1, 2025 at 1:00 P.M. in Yosemite. Defendant's failure to appear will result in a bench warrant issued for his arrest.
5. Upon notice by the Central Violation Bureau of receipt of full payment, the Clerk shall automatically vacate the April 1, 2025 Initial Appearance and CLOSE this case.
6. The Court disregards the Parties' Stipulated Motion (Doc. No. 3) filed February 12, 2025.

Dated: February 16, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE